

PTO/SB/84 (10-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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**PETITION FOR REVIVAL OF AN APPLICATION FOR PATENT ABANDONED
UNINTENTIONALLY UNDER 37 CFR 1.137(b)**Docket Number (Optional)
SD 98-024

First named Inventor: Tony Yaksh

Application No.: 09/765,063

Group Art Unit:

Filed: 01/17/01

Examiner:

Title: Apparatus and Method for Detecting Flinch Response to Nociceptive Agents

FAX RECEIVEDAttention: Office of Petitions
Assistant Commissioner for Patents
Box DAC
Washington, D.C. 20231**JUL 01 2003****PETITIONS OFFICE**NOTE: If information or assistance is needed in completing this form, please contact Petitions
Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee -- required for all utility and plant applications filed before June 9, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. Petition fee

 Small entity-fee \$ 650.00 (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27. Other than small entity - fee \$ _____ (37 CFR 1.17(m))

2. Reply and/or fee

A. The reply and/or fee to the above-noted Office action in the form of Response to Notice to File Missing Parts 37 CFR 153 (identify type of reply): has been filed previously on _____ Is enclosed herewith Refund Ref: 07/15/2003

0030082104

B. The issue fee of \$ _____

 has been paid previously on _____ Is enclosed herewith. Credit Card Refund Total: \$ 650.00

VISA....: XXXXXXXX5731

Burden Hour Statement: This form is estimated to take 1.0 hour to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

07/03/2003 AKELLEY 00000017 09765063

07/03/2003 AKELLEY 00000017 09765063
 Adjustment date: 07/15/2003 - AKELLEY
 07/03/2003 AKELLEY 00000017 09765063
 01 FCB1999 -650.00 0P

PTO/SB/64 (10-00)

Approved for use 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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3. Terminal disclaimer with disclaimer fee

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ _____ for a small entity or \$ _____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c)(III)(C) and (D))].

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7/01/03

Date

William C. Fuess

Signature

Telephone
Number: (760) 788-7401

William C. Fuess

Typed or printed name

17258 Amarillo Rd.

Address

Ramona, CA 92065Enclosures: Fee Payment Reply Terminal Disclaimer Form Additional sheets containing statements establishing unintentional delay Other: _____

CERTIFICATE OF MAILING OR TRANSMISSION [37 CFR 1.8(a)]

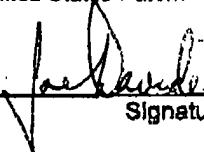
I hereby certify that this correspondence is being:

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transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (703) 308-6816.

7/01/03

Date



Signature

Joseph Davidenas

Type or printed name of person signing certificate

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND

1 Date of Request: 7/17/03 2 Serial/Patent # 09 765,063

3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT
	Filing			\$
	Amendment			\$
	Extension of Time			\$
	Notice of Appeal/Appeal			\$
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11 REFUND REQUESTED BY:

TYPED/PRINTED NAME: Cliff Congo

TITLE: Petitions Attorney

SIGNATURE: Cliff Congo

PHONE: 305-6272

OFFICE: Petitions

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APPROVED:

DATE:

7/15/03

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